

|   |                          |
|---|--------------------------|
| <b>UNITED STATES BANKRUPTCY COURT<br/>FOR THE DISTRICT OF NEW JERSEY</b>  |                          |
| <b>SAXTON &amp; STUMP LLC</b><br>Joshua J. Voss, Esq.<br>280 Granite Run Drive, Suite 300<br>Lancaster, PA 17601<br>(717) 556-1072<br><br><b>STARK &amp; STARK, PC</b><br>Marshall T. Kizner, Esq.<br>Joseph H. Lemkin, Esq.<br>100 American Metro Blvd.<br>Hamilton, NJ 08619<br>Telephone (609) 791-7022<br><i>Attorneys for Prestige</i> |                          |
| In re:  | Chapter 11               |
| DARYL FRED HELLER,  | Case Nos. 25-11354 (JNP) |
| Debtor.   |                          |

**JOINDER TO CHICAGO ADMIN, LLC’S OBJECTION TO DEBTOR’S MOTION FOR AN ORDER APPROVING THE AGREEMENT AMONGST THE DEBTOR, CHARLENE R. HELLER AND ORRSTOWN BANK PURSUANT TO RULE 9019 OF THE FEDERAL RULES OF BANKRUPTCY PROCEDURE**

Prestige Fund A, LLC, Prestige Fund A IV, LLC, Prestige Fund A IX, LLC, Prestige Fund B, LLC, Prestige Fund B II, LLC, Prestige Fund B IV, LLC, Prestige Fund B V, LLC, Prestige Fund B VI, LLC, Prestige Fund B VII, LLC, Prestige Fund B BTM I, LLC, Prestige Fund A II, LLC, Prestige Fund A V, LLC, Prestige Fund A VI, LLC, Prestige Fund A VII, LLC, Prestige Fund D, LLC, Prestige Fund D III, LLC, Prestige Fund D IV, LLC, Prestige Fund D V, LLC, Prestige Fund D VI, LLC, Prestige Fund D BTM I, LLC, WF Velocity I, LLC, WF Velocity Fund IV, LLC, WF Velocity Fund V, LLC, WF Velocity Fund VI, LLC and WF Velocity Fund VII, LLC (collectively, “Prestige”) submit this Joinder to Chicago Atlantic Admin, LLC’s Objection

(the “Objection”) to Debtor’s Motion for an Order Approving the Agreement Between the Debtor, Charlene R. Heller, and Orrstown Bank Pursuant to Rule 9019 of the Federal Rules of Bankruptcy Procedure (the “9019 Motion”)

**PRELIMINARY STATEMENT**

1. The 9019 Motion is yet another step by Darryl Heller (“Debtor”) to advance his massive Ponzi scheme and shell game, while avoiding true disclosure to his creditors. As detailed in the Motion, Debtor seeks approval of a settlement (the “Settlement”) whereby he plans to distribute significant estate assets to a preferred creditor and to benefit his wife, all outside of a plan of reorganization. Debtor seeks approval of the Settlement, while also refusing to comply with rudimentary disclosure obligations and stiff-arming creditors efforts in this case.


2. By way of brief background, without belaboring the numerous pleadings filed by Prestige and other creditors, this Debtor cannot and should not be trusted. Prestige has filed a Motion to Appoint a Chapter 11 Trustee (the “Trustee Motion”) [D.I. 265]. The Trustee Motion also seeks to amend the Order appointing the Examiner and ensure his continued service, pending the appointment of a trustee. Prestige incorporates by reference the Trustee Motion as if set forth herein at length.

3. Prestige, and fourteen other creditors, have shined a spotlight on Debtor’s pervasive fraudulent conduct by filing complaints commencing adversary proceedings pursuant to 11 U.S.C. § 523(a), pleading, with specificity, the nature of Debtor’s fraudulent conduct. To summarize these adversary proceedings succinctly, the Debtor engaged in a massive Ponzi scheme and campaign of conduct whereby he defrauded creditors out of over \$800,000,000.





4. Debtor's post-bankruptcy conduct has not been much better. That conduct is described at length in Prestige's Objection to the proposed Deerfield Settlement [D.I. and is incorporated by reference as if set forth herein at length.

5. Furthermore, since Prestige filed its Objection to the Deerfield Settlement, Prestige has learned of yet another account in Debtor's name that was not previously disclosed, this one with Cash App. **Attached as Exhibit "A."** Like the Venmo account, Debtor failed to disclose the Cash App account with his required disclosures. *See* Doc. 72 at 4, question 17 (Official Form 106A/B). And, just like the Venmo account, analysis of the Cash App account reveals numerous transfers of cash by Debtor within the last two years over the sum of \$600, at least some of which appear to be gifts that should have been previously disclosed, including the following:

| Date       | Total    | Subject     | Recipient           |
|------------|----------|-------------|---------------------|
| 11/20/2024 | 650.00   |             | Gavin Kauffman      |
| 11/8/2024  | 2,069.00 |             | Janell Kauffman     |
| 11/1/2024  | 1,314.00 |             | Janell Kauffman     |
| 11/1/2024  | 3,069.00 |             | Candise Green       |
| 10/21/2024 | 753.00   |             | Raven Jenkins       |
| 10/21/2024 | 1,269.00 |             | Raven Jenkins       |
| 10/19/2024 | 1,200.00 |             | Janell Kauffman     |
| 10/18/2024 | 1,069.00 |             | ari baby            |
| 10/8/2024  | 1,000.00 |             | Janell Kauffman     |
| 9/27/2024  | 932.00   |             | Erika Michelle Hess |
| 9/26/2024  | 2,112.00 |             | Rachel McKenzie     |
| 9/14/2024  | 3,069.00 |             | Janell Kauffman     |
| 9/5/2024   | 1,269.00 |             | ari baby            |
| 8/26/2024  | 2,109.00 |             | Christina Sholl     |
| 8/10/2024  | 1,000.00 |             | Janell Kauffman     |
| 8/4/2024   | 1,150.00 |             | Janell Kauffman     |
| 7/25/2024  | 1,112.00 | landscaping | Tearny Brooks       |
| 7/25/2024  | 1,345.00 |             | Abigail Valentine   |
| 7/19/2024  | 1,043.00 | landscape   | Abigail Valentine   |
| 7/18/2024  | 1,236.00 | fencing     | Christina Sholl     |
| 7/13/2024  | 1,000.00 |             | Janell Kauffman     |
| 7/10/2024  | 1,003.52 |             | Maria Richards      |

| Date       | Total    | Subject   | Recipient           |
|------------|----------|---|---------------------|
| 7/9/2024   | 1,500.00 |   | Janell Kauffman     |
| 6/23/2024  | 1,500.00 |   | Janell Kauffman     |
| 6/22/2024  | 769.00   |   | Maria Richards      |
| 6/11/2024  | 1,000.00 |   | Janell Kauffman     |
| 6/1/2024   | 1,000.00 |   | Janell Kauffman     |
| 5/18/2024  | 2,500.00 |   | Janell Kauffman     |
| 5/11/2024  | 1,500.00 |   | Janell Kauffman     |
| 5/6/2024   | 1,500.00 |   | Janell Kauffman     |
| 5/3/2024   | 1,500.00 |   | Janell Kauffman     |
| 4/13/2024  | 1,000.00 |   | Gavin Kauffman      |
| 4/12/2024  | 4,000.00 |   | Laci Tuttle         |
| 4/6/2024   | 2,500.00 |   | Janell Kauffman     |
| 3/28/2024  | 4,969.00 |   | Savannah            |
| 3/21/2024  | 2,500.00 |   | Janell Kauffman     |
| 3/17/2024  | 997.00   |   | Janell Kauffman     |
| 3/17/2024  | 2,997.00 |   | Janell Kauffman     |
| 3/13/2024  | 1,500.00 |   | Lls                 |
| 3/10/2024  | 2,000.00 |   | Radmila Henry       |
| 3/2/2024   | 1,000.00 |   | Janell Kauffman     |
| 3/1/2024   | 2,100.00 |  | Sarah Giehl         |
| 2/27/2024  | 2,000.00 |   | Janell Kauffman     |
| 2/24/2024  | 769.00   |   | McKenna M           |
| 2/23/2024  | 1,500.00 |   | Janell Kauffman     |
| 2/23/2024  | 1,000.00 |   | Janell Kauffman     |
| 2/19/2024  | 969.00   |   | Emily Crumb         |
| 2/15/2024  | 2,000.00 |   | Janell Kauffman     |
| 2/9/2024   | 966.00   |   | SpoilerAlert        |
| 2/5/2024   | 3,000.00 |   | Janell Kauffman     |
| 2/4/2024   | 1,000.00 |   | McKenna M           |
| 2/2/2024   | 1,000.00 |   | McKenna M           |
| 2/1/2024   | 1,000.00 |   | McKenna M           |
| 1/27/2024  | 1,500.00 |   | Janell Kauffman     |
| 1/12/2024  | 2,500.00 |   | Janell Kauffman     |
| 1/3/2024   | 2,500.00 | BIC   | Janell Kauffman     |
| 12/31/2023 | 1,000.00 |   | Janell Kauffman     |
| 12/30/2023 | 1,000.00 |   | Savannah            |
| 12/30/2023 | 1,000.00 |   | Savannah            |
| 12/26/2023 | 2,000.00 |   | Michelle G          |
| 12/26/2023 | 1,000.00 |   | Natalia Zilberstein |
| 12/16/2023 | 1,000.00 |   | Sarah Giehl         |
| 12/15/2023 | 4,969.00 |   | Janell Kauffman     |
| 12/9/2023  | 1,069.00 |   | Lls                 |
| 12/8/2023  | 1,069.00 |   | Lls                 |
| 12/6/2023  | 1,500.00 |   | Janell Kauffman     |

| Date       | Total    | Subject    | Recipient           |
|------------|----------|------------|---------------------|
| 12/1/2023  | 1,500.00 |            | Tiffany Caple       |
| 12/1/2023  | 2,200.00 |            | Erika Michelle Hess |
| 11/29/2023 | 998.00   |            | Lls                 |
| 11/20/2023 | 5,000.00 |            | Janell Kauffman     |
| 11/2/2023  | 1,000.00 |            | Sarah Giehl         |
| 11/1/2023  | 1,000.00 |            | Sarah Giehl         |
| 11/1/2023  | 1,069.00 |            | Natalia Zilberstein |
| 10/29/2023 | 1,500.00 |            | Lls                 |
| 10/24/2023 | 2,000.00 |            | Tearny Brooks       |
| 10/24/2023 | 2,069.00 |            | Abigail Valentine   |
| 10/8/2023  | 1,000.00 |            | racingmom66         |
| 10/6/2023  | 4,069.00 |            | BABMIII             |
| 10/1/2023  | 969.00   |            | BABMIII             |
| 9/28/2023  | 898.00   |            | Sarah Giehl         |
| 9/27/2023  | 800.00   |            | Pati                |
| 9/23/2023  | 1,800.00 |            | ari baby            |
| 9/22/2023  | 800.00   | birthday 🎂 | Dev                 |
| 9/20/2023  | 1,069.00 |            | Natalia Zilberstein |
| 9/17/2023  | 669.00   |            | Erika Michelle Hess |
| 9/17/2023  | 869.00   |            | Megan Strong        |
| 9/9/2023   | 1,569.00 |            | Laci Tuttle         |
| 9/4/2023   | 1,069.00 |            | BABMIII             |
| 9/3/2023   | 3,069.00 |            | Lls                 |
| 9/3/2023   | 669.00   |            | krystal groff       |
| 8/30/2023  | 669.00   |            | krystal groff       |
| 8/30/2023  | 1,000.00 |            | sadie coulter       |
| 8/29/2023  | 600.00   |            | Trophy              |
| 8/20/2023  | 1,011.00 |            | Christina Sholl     |
| 8/20/2023  | 1,269.00 |            | Lls                 |
| 8/18/2023  | 1,200.00 |            | racingmom66         |
| 8/9/2023   | 1,000.00 |            | racingmom66         |
| 8/6/2023   | 1,400.00 |            | krystal groff       |
| 8/5/2023   | 2,069.00 |            | ari baby            |
| 8/3/2023   | 1,069.00 |            | Megan Strong        |
| 8/1/2023   | 1,020.00 |            | Laci Tuttle         |
| 7/28/2023  | 669.00   |            | krystal groff       |
| 7/15/2023  | 1,500.00 |            | racingmom66         |
| 7/14/2023  | 1,000.00 |            | racingmom66         |
| 7/5/2023   | 1,500.00 |            | Larry Dale          |
| 7/5/2023   | 750.00   |            | Larry Dale          |
| 7/2/2023   | 750.00   |            | Dev                 |
| 7/1/2023   | 700.00   |            | Sarah Giehl         |
| 6/30/2023  | 3,000.00 |            | ari baby            |
| 6/27/2023  | 1,000.00 |            | Sarah Giehl         |

| Date      | Total    | Subject   | Recipient           |
|-----------|----------|---|---------------------|
| 6/27/2023 | 2,000.00 |    | ari baby            |
| 6/24/2023 | 2,999.00 |   | ari baby            |
| 6/3/2023  | 750.00   |   | Amy Hulslander      |
| 6/1/2023  | 600.00   |   | Rachel Dodge        |
| 5/30/2023 | 600.00   |   | Rachel Dodge        |
| 5/29/2023 | 650.00   |   | Lls                 |
| 5/28/2023 | 1,500.00 |   | Abigail Valentine   |
| 5/27/2023 | 669.00   |   | Sarah Giehl         |
| 5/26/2023 | 3,000.00 |   | ari baby            |
| 5/25/2023 | 1,500.00 |   | C.R                 |
| 5/18/2023 | 3,000.00 |   | ari baby            |
| 5/2/2023  | 969.00   |   | Sarah Giehl         |
| 4/24/2023 | 769.00   |   | Sarah Giehl         |
| 4/21/2023 | 669.00   |   | krystal groff       |
| 4/15/2023 | 999.00   |   | krystal groff       |
| 4/13/2023 | 769.00   |   | krystal groff       |
| 4/3/2023  | 750.00   |   | racingmom66         |
| 4/2/2023  | 998.00   |   | Abigail Valentine   |
| 3/29/2023 | 699.00   |   | Jessica Sanger      |
| 3/24/2023 | 669.00   |   | Lls                 |
| 3/19/2023 | 1,200.00 |   | Sarah Giehl         |
| 3/18/2023 | 1,069.00 |   | Natalia Zilberstein |
| 3/12/2023 | 800.00   | I will be a good   | Krystal Groff       |
| 3/11/2023 | 998.00   |   | Lls                 |
| 3/10/2023 | 869.00   |   | Lls                 |
| 3/8/2023  | 669.00   |   | Lls                 |
| 3/7/2023  | 769.00   |   | Krystal Groff       |
| 3/5/2023  | 1,069.00 |   | Lls                 |
| 3/1/2023  | 3,000.00 |   | racingmom66         |
| 2/19/2023 | 769.00   |   | BABMIII             |
| 2/17/2023 | 1,000.00 |   | Lls                 |
| 2/17/2023 | 1,000.00 |   | Lee                 |

6. Next, as noted in the Chicago Atlantic Objection, aside from conclusory statements by the Debtor regarding the benefits of the settlement, the Debtor has completely failed to meet his burden that the settlement is fair and equitable and the 9019 Motion fails to satisfy the *Martin* Factors.

7. Finally, as noted in the Objection, the settlement constitutes a *sub rosa* plan and should not be approved.

### **JOINDER**

8. Prestige adopts and incorporates by reference in its entirety the Objection [DI 282].

### **CONCLUSION**

For the foregoing reasons Prestige requests that the Court deny the 9019 Motion and grant such other and further relief as the Court deems appropriate.

Respectfully submitted,

STARK & STARK  
A Professional Corporation

By: /s/ Marshall T. Kizner  
MARSHALL T. KIZNER, ESQ.

By: /s/ Joseph H. Lemkin  
JOSEPH H. LEMKIN, ESQ.  
100 American Metro Blvd.  
Hamilton, NJ 08619  
(609) 791-7922 (direct)  
(609) 896-9060 (main)  
(609) 895-7395 (facsimile)

-and-

SAXTON & STUMP LLC  
Joshua J. Voss, Esq..  
280 Granite Run Drive, Suite 300  
Lancaster, PA 17601  
(717) 556-1072 (direct)  
(717) 441-3810 (facsimile)

*Attorneys for Prestige Fund A, LLC, Prestige  
Fund A IV, LLC, Prestige Fund A IX, LLC,  
Prestige Fund B, LLC, Prestige Fund B II, LLC,*

*Prestige Fund B IV, LLC, Prestige Fund B V, LLC, Prestige Fund B VI, LLC, Prestige Fund B VII, LLC, Prestige Fund B BTM I, LLC, Prestige Fund A II, LLC, Prestige Fund A V, LLC, Prestige Fund A VI, LLC, Prestige Fund A VII, LLC, Prestige Fund D, LLC, Prestige Fund D III, LLC, Prestige Fund D IV, LLC, Prestige Fund D V, LLC, Prestige Fund D VI, LLC, Prestige Fund D BTM I, LLC, WF Velocity I, LLC, WF Velocity Fund IV, LLC, WF Velocity Fund V, LLC, WF Velocity Fund VI, LLC and WF Velocity Fund VII, LLC*

Dated: May 29, 2025